

**REMARKS**

Claims 1-16 are pending in this application. By this amendment, claims 1 and 16 are amended. Claim 17 is cancelled.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

**I. Election/Restrictions**

The Office Action confirms that claims 6-7, 12-14 have been withdrawn and requests their cancellation. In reply, applicant requests that the claims be rejoined upon allowance of the elected claims.

**II. Drawings**

Applicants gratefully acknowledges the acceptance of the drawings submitted with this application.

**III. Claim Rejections Under 35 U.S.C. §102**

Claims 1-5, 8-11, 15 and 17 are rejected under 35 U.S.C. §102(e) as being unpatentable under U.S. Patent 6,528,358 to Yamazaki et al. (hereinafter "Yamazaki"). We respectfully traverse these rejections.

The Office Action asserts that Yamazaki discloses a transistor, Fig. 23e, comprising at least a monocrystalline semiconductor layer 41. The Examiner relies on U.S. Patent

6,686,228 to Suzawa et al. (hereinafter "Suzawa") to interpret monocrystalline semiconductor layer as a material comprising a structure or substantially crystal structure (Col. 18, lines 61-63). We traverse this assertion.

The recitation in Col. 18, lines 61-63 of Suzawa refers to "unique crystal structures" of the crystalline silicone film made using the processes shown in Figs. 8a - 9b (Col. 17, lines 21-15). The crystalline silicone film has a plain-like grain boundary that "does not function as a trap to obstruct the movements of carriers," and so although boundaries exist, they "can be regarded as substantially non-existing." (Col. 17, lines 61-65). In this sense, "it is appropriate to consider the crystalline silicone film (made by the processes in Figs. 8a-9b) as a single-crystal silicone film." Therefore, the specific case described in Suzawa does not apply to all crystalline silicone films. To assert otherwise as the Office Action has done would be to assert that no other type of crystalline silicone films exist other than a single-crystal type.

Based on the discussion above, independent claim 1 is in condition for allowance. Therefore, dependent claims 2-5, 8-11, and 15-16 are also in condition for allowance. Claim 17 has been cancelled. We respectfully request the Examiner reconsider and withdraw the rejections.

#### **IV. Claim Rejections Under 35 U.S.C. §103**

Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki. Based on the discussion above we believe that claim 16 is also in condition for allowance. Therefore, we respectfully request the Examiner to reconsider and withdraw the rejection.

**V. Conclusion**

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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